

Notice of Allowability	Application No.	Applicant(s)	
	09/976,656	SUSSMAN, LESTER	
	Examiner	Art Unit	
	Huyen Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/4/2005.
2. ☒ The allowed claim(s) is/are 18-29.
3. ☒ The drawings filed on 12 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Lester Sussman on April 7, 2005. The application has been amended as follows:

Claims 30-31 are cancelled.

Allowable Subject Matter

2. Claims 18-29 are allowed over prior art of record.

3. The following is an examiner's statement of reasons for allowance: Paleiov et al. (US 6560320) disclose a computerized interactive voice response system comprising: an interactive voice response host computer for providing audio menus (*IVR 28 in figure 1*); a source computer for providing text data associated with said audio menus (*authoring tool 29 in figure 1*); a user telephone (*element 30 or 34*); a user telephone with an embedded computer having a display screen and having a first program to display visual menus on the user embedded computer display screen and wherein said user embedded computer is capable of operating independently and not in connection with said user telephone (*element 30 or 34 and 36 combined in figure 1*); an interface

Art Unit: 2655

for connecting the user telephone, and said interactive voice response host computer, wherein said interface connects said user telephone to said interactive voice response host computer on a first communications network, enabling sending signals from said user telephone to said interactive voice response host computer (*PSTN 26 in figure 1*); a modem attached to said user embedded computer for receiving said text data to display visual menus and other data on said user embedded computer display screen from a source computer (*figure 1, telephone is connected to server*); wherein said first communications network is a public switched telephone network (*PSTN 26 in figure 1*); wherein said embedded computer has memory means to store said visual menus and other data (*buffer memory is inherently included in the telephone device 30 and/or 34 and 36 combined*); wherein said visual menus comprise said text data, said text data pre-stored in said memory, retrieved from said source computer prior to connecting to said interactive voice response host computer (*authoring tool 29 sends text information to IVR 28 and ultimately to telephone devices*); wherein said first program in said user telephone embedded computer enables said user computer display screen to display said visual menus whenever a dialed telephone number has associated audio menus provided by said interactive voice response host computer (*display on element 36 and 32 in figure 1 and/or referring to col. 5, lines 11-44*); wherein said first program in said user telephone embedded computer provides navigation means to explore and select menu options in said visual menus prior to connecting to said interactive voice response host computer, transmitting said signals of said selection from said user telephone to said interactive voice response host computer after selecting said menu options (*col. 9,*

lines 44-59, the user is able to navigate from field to fields); wherein said pre-stored visual menus reside on said source computer, accessible by said user telephone by means of said modem on a computer communications network (*authoring tool 29 sends information to IVR 28 and ultimately to telephone devices for display*); and said pre-stored text data comprise menu text data (*authoring tool 29 in figure 1*). Paleiov et al. fail to specifically disclose that the pre-stored text data comprises location data of said source computer on said computer communications network. Furthermore, it would have not been obvious to one of ordinary skill in the art at the time of invention to modify the teaching of Paleiov et al. to obtain the claimed invention. Therefore, claims 18-29 are allowed over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

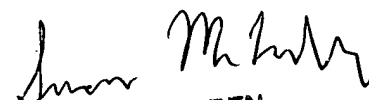
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2655

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

April 12, 2005


SUSAN MCFADDEN
PRIMARY EXAMINER